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**GENERAL PERMIT TO OPERATE AND/OR CONSTRUCT**

*(As required by Title 49, Chapter 3, Article 2, Section 49-480, Arizona Revised Statutes)*

**for**

**GRAPHIC ARTS OPERATIONS**

*This general permit to operate and/or construct does not relieve the applicant of responsibility for meeting all air pollution regulations.*

MCESD GENERAL PERMIT NUMBER \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

PERMIT ISSUED THIS \_\_\_\_\_ 2nd \_\_\_\_\_ DAY OF \_\_\_\_\_ May, \_\_\_\_\_ 2002

\_\_\_\_\_  
SIGNATURE

Al Brown, Director, Environmental Services Department  
TITLE

**General Permit to Operate and/or Construct  
Graphic Arts Facilities**

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## **General Permit to Operate and/or Construct Graphic Arts Facilities**

### **SECTION 1. AUTHORITY**

[A.R.S. § 49-480.J] [County Rule 200 and 230]

This General Permit is authorized by Rule 200 and Rule 230 of the Maricopa County Air Pollution Control Regulations (Rules) pursuant to Section 49-480.J of the Arizona Revised Statutes. In that the Arizona Department of Environmental Quality has not issued a general permit for a Graphic Arts Operation in Maricopa County as defined herein, the Maricopa County Environmental Services Department (Department) is authorized to issue this General Permit.

### **SECTION 2. DEFINITIONS**

The following definitions shall apply to this permit:

- A. ALCOHOL** - A volatile organic compound – such as isopropanol, normal-propanol, and ethanol – of alkane structure consisting of fewer than 6 carbon atoms and having a single OH- (hydroxyl) group and no other non-alkane attachments.  
[County Rule 337 § 201]
- B. ALCOHOL SUBSTITUTE** - A wetting agent, used to replace some or all of the alcohol in fountain solutions, and usually containing inorganic phosphates and volatile organic compounds such as glycols.  
[County Rule 337 § 202]
- C. CLEANING SOLUTION** - Any liquid, including blanket wash and roller wash, used to remove ink and debris from the operating surfaces of a printing press or from any of the attached parts of a press.  
[County Rule 337 § 204]
- D. COATING** - A layer of material applied to a substrate in a relatively unbroken film.  
[County Rule 337 § 205]
- E. EMISSION CONTROL SYSTEM (ECS)** - A system for reducing emissions of organic compounds, consisting of both collection and control devices which are approved in writing by the Control Officer and are designed and operated in accordance with good engineering practice.  
[County Rule 337 § 206]
- F. FLEXOGRAPHIC PRINTING** - The application of words, designs or pictures by roll-printing technique in which the image-carrying surface is raised above the surface of the printing roll and the image carrier is made of flexible rubber or other elastomeric material.  
[County Rule 337 § 207]
- G. GRAPHIC ARTS** - All screen, gravure, letterpress, flexographic and lithographic printing processes, including related coating and laminating processes.  
[County Rule 337 § 208]
- H. GRAPHIC ARTS FACILITY** - All the graphic arts processes and activities which are located on one or more contiguous or adjacent properties and are under the control of the same person (or persons under common control).  
[County Rule 337 § 209]

- I. GRAPHIC ARTS MATERIAL** - Any ink, varnish, coating or adhesive, including added thinner or retarder, used in printing or related coating or laminating processes.  
[County Rule 337 § 210]
- J. GRAPHIC ARTS VARNISH** - A transparent material, applied by printing press, that is used to adjust gloss, to adjust color, or to protect printed material or printing substrate.  
[County Rule 337 § 211]
- K. GRAVURE PRINTING** - An intaglio process in which the ink is carried in minute, etched or engraved wells on a roll or cylinder, excess ink being removed from the surface by a doctor blade.  
[County Rule 337 § 212]
- L. LAMINATION** - A process of fusing two or more layers of material together to form a single sheet by using adhesive.  
[County Rule 337 § 213]
- M. LETTERPRESS PRINTING** - A method in which the image area is raised relative to the non-image area and the ink is transferred to the paper directly from the image surface.  
[County Rule 337 § 214]
- N. LITHOGRAPHIC PRINTING** - A printing process where the image and non-image areas of the printing plate are chemically differentiated; the image area is oil receptive and the non-image area is water receptive. This method differs from other printing methods, where the image is on a raised or recessed surface.  
[County Rule 337 § 215]
- O. NON-PRECURSOR ORGANIC COMPOUND** - Any of the organic compounds, listed in subsection a. of Appendix A, which have been designated by the EPA as having negligible photo-chemical reactivity.  
[County Rule 337 § 216]
- P. PRINTING** - An operation that imparts color, design, pattern, alphabet or numerals onto a substrate. It differs from coating in that its principal intent is to accomplish such visual/spatial outcome(s) rather than for other purposes commonly accomplished by using coatings.  
[County Rule 337 § 217]
- Q. PRINTING INK** - A fluid or viscous formulation used in printing, impressing or transferring an image onto a substrate.  
[County Rule 337 § 218]
- R. RESPONSIBLE OFFICIAL** means one of the following:
- 1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or a duly authorize representative of such person if the representative is responsible for the overall operation of one or more Graphic Arts facilities;
  - 2) For a partnership: A general partner;
  - 3) For a sole proprietorship: The owner; or

- 4) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking official.  
[County Rule 100 § 200.95]
- S. **SCREEN PRINTING** - A process of passing printing ink through a screen (a taut web or fabric) to make an imprint on a substrate. A refined form of stencil has been applied to the screen such that the stencil openings determine the form and dimensions of the imprint.  
[County Rule 337 § 219]
- T. **SOURCE** – for the purposes of this permit, means each Graphic Arts Facility.  
[County Rule 100 § 200.98]
- U. **UNITS PER PRINTING PRESS** - The number of printing surfaces per printing press.  
[County Rule 337 § 220]
- V. **VAPOR PRESSURE** - The pressure exerted at a uniform temperature by the gas of a substance when the gas is in equilibrium with the liquid (or solid) phase of that substance. Example: At 68°F the vapor pressure of toluene vapor in equilibrium with undiluted liquid toluene is 23 millimeters of mercury.  
[County Rule 337 § 221]
- W. **VOC VAPOR PRESSURE** - The total vapor pressure exerted by VOC at an even temperature. It distinguishes the vapor pressure of VOC from the vapor pressures of other fluids when a liquid contains both VOC and non-VOC fluids.  
[County Rule 337 § 222]
- X. **VOLATILE ORGANIC COMPOUND (VOC)** - Any organic compound which participates in atmospheric photochemical reactions, except a non-precursor organic compound.  
[County Rule 337 § 223]
- Y. **YEAR or YEARLY** means any consecutive 12-month period of time.  
[County Rule 100 § 200.95]

### SECTION 3. AUTHORITY UNDER THIS GENERAL PERMIT

Any Graphic Arts Facility shall be eligible for coverage under this General Permit if the Facility meets the requirements as specified in Sections 5, 6, and 7. However, if a Graphic Arts Facility does not meet the provisions of Sections 5, 6, or 7 the Facility will be considered ineligible for coverage and the applicant shall be required by the Control Officer to obtain an individual source permit.

- A. **AUTHORITY TO OPERATE (ATO) OR CONSTRUCT** [County Rule 230 § 303.3]  
A facility is not covered by this General Permit unless a complete application for an ATO is filed with the Control Officer.
- B. **EFFECTIVE DATE AND EXPIRATION DATE OF AUTHORIZATION**  
[County Rule 210 § 302.1.a, 230 § 302.4, 306 and § 311.3]

This General Permit shall be valid for five years after the date it is signed by the Control Officer. All ATO's issued under this General Permit expire on the same date that this General Permit expires, regardless of when the ATO was issued. Any activity covered by this General Permit is authorized at the specified facility on the date the application is filed. The Control Officer will

provide written notice of the expiration of this General Permit stating that the source must reapply for coverage. The Permittee may operate under the terms of this General Permit until the earlier of

- 1) The date it submits a complete application for a new General Permit, or
- 2) The filing deadline specified in the renewal notice sent by the Control Officer.

**C. REQUIREMENTS TO FILE AN APPLICATION FOR AN INDIVIDUAL SOURCE PERMIT**

- 1) Denial of an ATO [County Rule 230 § 303.3]  
If the Control Officer notifies the Permittee that the application for coverage under the General Permit is denied, the applicant must file an individual source permit application within 180 days of receipt of the denial notice.
- 2) Revocation of Authority to Operate [County Rule 230 § 311.1,3]  
If an ATO has been issued and the Permittee is later notified by the Control Officer of the revocation of the authority to operate under this General Permit because of expiration, termination, or cancellation, the Permittee must file an application for an individual source permit. The application for an individual source permit must be filed within 180 days of receiving the notice from the Control Officer. The Permittee may continue to operate under this General Permit until the earlier of either:
  - a) The date that it submits a complete application for an individual source permit, or
  - b) The date 180 days after receipt of the notice of expiration, termination, or cancellation.

- D. ISSUANCE OF AN INDIVIDUAL SOURCE PERMIT** [County Rule 230 § 307]  
If the Control Officer issues an Individual Source Permit authorizing the same activity that is authorized by an ATO issued under this General Permit, the ATO shall become null and void on the date that the Individual Source Permit is issued.

**SECTION 4: GENERAL REQUIREMENTS**

**A. COMPLIANCE REQUIRED**

The Permittee shall comply with the conditions and provisions of this Permit, and all air quality requirements of the Federal Regulations, State Rules, and Maricopa County Rules. The Permittee shall halt or reduce activities if necessary to maintain compliance.

[County Rule 210 § 302.1.h.(1) and 230 § 302.4.a]

**B. FACILITY CHANGES NOT REQUIRING A PERMIT REVISION**

- 1) Except for a physical change or change in the method of operation at a Graphic Arts Facility requiring the Permittee to obtain an individual permit, or a change subject to logging or notice requirements in Conditions B.2 or B.3 of this Section, a change at a Graphic arts Facility shall not be subject to revision, notice, or logging requirements of these General Permit Conditions. [County Rule 220 § 404.1]

- 2) The following changes may be made if the Permittee keeps on-site records of the changes according to Section 7 of this General Permit.
  - a) Changing process equipment, operating procedures, or making any other physical change if the permit requires the changes to be logged;
  - b) Engaging in any new exempted activity listed in County Rule 200, subsection 303.3(c), but not listed in the General Permit; and
  - c) Making a change that results in a decrease in actual emissions, if the Permittee wants to claim credit for the decrease in determining whether the Permittee has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.  
[County Rule 220 § 404.2.b,c,d & e]
- 3) The following changes may be made if the Permittee provides written notice to the Control Officer in advance of the change as provided below:
  - a) Making a physical change or a change in the method of operation that increases actual emissions more than 10% of the major source threshold for any conventional air pollutant but does not require a permit revision: no less than 7 days before the change;
  - b) Making any change that would trigger an applicable requirement that already exists in the permit: no less than 30 days before the change, unless otherwise required by an applicable requirement;
  - c) Making a change that amounts to reconstruction of the source or an affected facility: no less than 7 days before the change. For purposes of this subsection, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceed 50% of the fixed capital cost of a comparable entirely new source or affected facility and the changes to the components have occurred over the 12 consecutive months beginning with commencement of construction; and
  - d) Making a change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold, but that does not trigger a new applicable requirement for that source category: no less than 30 days before the change. For purposes of this requirement, an applicable regulatory threshold for a conventional air pollutant shall be 10% of the applicable major source threshold for that pollutant.  
[County Rule 220 § 404.3.b,d,e & f]

- 4) For each change under Condition B.3 above, the written notice shall be by certified mail or hand delivery and shall be received by the Control Officer the minimum amount of time in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided with less than required notice, but must be provided as far in advance of the change, or if advance notification is not practicable, as soon after the change, as possible.

[County Rule 220 § 404.4]

- 5) The written notice shall include:

- a) When the proposed change will occur;
- b) A description of the change;
- c) Any change in emissions of regulated air pollutants; and
- d) Any permit term or condition that is no longer applicable as a result of the change.

[County Rule 220 § 404.5]

- 6) Notwithstanding any other Condition of this General Permit, the Control Officer may require the Permittee to obtain a new ATO or an individual permit for any change that, when considered together with any other changes submitted by the same facility under this Condition over a 5 year term, constitutes a change under County Rule 220 Section 403.2.

[County Rule 220 § 404.6]

- 7) If a source change is described under both Condition B.2 and B.3 of this section, the source shall comply with Condition B.3 of this section.

[County Rule 220 § 404.7]

- 8) If a source change is described under both Conditions B.3 and County Rule 220 section 403.1, the Permittee shall apply for a new ATO.

[County Rule 220 § 404.8]

- 9) A Permittee may implement any change under Condition B.3 above without the required notice by applying for a new ATO.

[County Rule 220 § 404.9]

**C. PAY APPLICABLE FEES**

[County Rule 280]

Sources applying for and operating under an ATO for this General Permit shall pay all fees to the Control Officer pursuant to Rule 280 of the Maricopa County Air Pollution Control Regulations.

**D. POSTING OF A PERMIT**

[County Rule 200 § 311]

The Permittee shall post a copy of the ATO at the covered facility in such a manner as to be clearly visible. A complete copy of the General Permit and the original ATO shall be kept on the site during the life of the permit.

**E. PROPERTY RIGHTS**

[County Rule 210 § 302.1.h.(4) and 230 § 302.4.a]

This General Permit does not convey any property rights of any sort, or any exclusive privilege.



**F. RIGHT TO ENTRY AND INSPECTION**

For the purpose of assuring compliance with this General Permit, the Permittee shall allow the Control Officer or authorized representative, upon presentation of proper credentials:

[County Rule 220 § 302.17,18,19,20,21]

- 1) To enter upon the Permittee's premises where the source is located or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of this Permit, and
- 2) To have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this General Permit, and
- 3) To inspect any source, at reasonable times, equipment (including monitoring and air pollution control devices), practices or operations regulated or required in this General Permit, and
- 4) To sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this General Permit or other applicable requirements, and
- 5) To record any inspection by use of written, electronic, magnetic, and photographic media.

**G. SEVERABILITY**

[County Rule 210 § 302.1.g and 230 § 302.4.a]

The provisions of this General Permit are severable and, if any provision of this General Permit is held invalid, the remainder of this General Permit shall remain valid.

**SECTION 5. GRAPHIC ARTS FACILITIES**

**A. FACILITY WIDE LIMITATIONS.**

- 1) The Permittee shall emit less than 25 tons of Volatile Organic Compounds (VOC's) per year.

[County Rule 241 § 301.1 and 230 § 305]

- 2) All VOC-containing materials used for cleaning and cleanup, including rags and towels, shall be stored in closed containers when not in use.

[County Rule 337 § 303 and 330 § 306]

**B. OPERATIONAL LIMITATIONS AND STANDARDS FOR OFFSET LITHOGRAPHIC PRINTING PRESSES**

- 1) Fountain Solution VOC Limitations [County Rule 337 § 302]

a) If the fountain solution is refrigerated below 60°F then the combined total volume of alcohol, alcohol substitute or any other VOC in each fountain solution source shall be limited to 8.5 percent.

b) If the fountain solution is not refrigerated below 60°F then the combined total volume of alcohol, alcohol substitute or any other VOC in each fountain solution source shall be limited to 5 percent.

- 2) The Permittee shall use cleaning solutions with a vapor pressure less than or equal to 10 mm Hg, at 20°C (68°F).

[County Rule 337 § 303]

#### **C. MONITORING/RECORDKEEPING REQUIREMENTS**

- 1) The permittee shall monitor the alcohol concentration of each such fountain solution source containing any alcohol with a refractometer, a hydrometer or a conductivity meter. The instrument shall have a visual readout (analog or digital) with an accuracy of either  $\pm 2$  percent of the meter's full scale, or  $\pm 0.5$  percent absolute (such as for meter readings given in percent.)

- a) A weekly entry shall be made of the results of an instrument reading, made by the above requirement, for each fountain solution source containing any alcohol.

[County Rule 337 § 502.1a]

- b) Weekly, for each fountain solution source, record the names and the most current mixing ratio of all alcohol, alcohol-substitutes, and water used in making fountain solution in that source.

[County Rule 337 § 502]

- 2) If the press never uses alcohol, then a once a month record of the names of all alcohol-substitutes and the mixing ratio of all alcohol-substitutes to water, for each fountain solution source is required.

[County Rule 337 § 502.2]

#### **D. RECORD KEEPING REQUIREMENTS**

- 1) Any records required by these Permit Conditions shall be retained for five years and shall be made available to the Control Officer upon request.

[County Rule 337 § 503]

- 2) The Permittee shall maintain a current list of inks, coatings, adhesives, fountain-solution alcohol(s) and alcohol substitutes, thinners, cleaners, and any other VOC-containing materials used at the facility and the Permittee shall also state the VOC content of each in pounds per gallon or grams per liter. In addition, for each blanket wash and other cleaning solution, the Permittee shall list the VOC vapor pressure at 20°C (68°F).

[County Rule 337 § 503.1]

- 3) The Permittee shall maintain monthly usage records of graphic arts materials and cleaning solutions showing the type, and amount of each graphic-arts ink, varnish, coating, adhesive, fountain solution, blanket wash, and all other cleaning solutions.

[County Rule 337 § 503.2]

### **SECTION 6. FUEL BURNING EQUIPMENT**

Material Permit Conditions for Fuel Burning Equipment located at a Graphic Arts Facility are identified by underlines and italics.

#### **A. MAXIMUM HEAT INPUT**

The maximum manufacturer's heat input rating of any single fuel-burning piece of equipment shall be less than 10 million BTU/Hr

[County Rule 100 § 200.63.a.(3)(a) and 220 § 304.1]

**B. MAXIMUM FACILITY HEAT INPUT**

The maximum combined heat input rating for all fuel burning equipment (excluding internal combustion engines, which are not required to be covered by a permit) at the facility as a whole shall be less than 36 million BTU/Hr.

[County Rule 100 § 200.63.a.(3)(a) and 220 § 304.1]

**C. OPERATIONAL LIMITATIONS AND STANDARDS**

The Permittee shall only burn natural gas, propane, and butane as fuels in the fuel burning equipment.

[County Rule 241 § 302]

**SECTION 7. GENERAL LOGGING AND REPORTING REQUIREMENTS**

**A. LOGGING REQUIREMENTS**

- 1) If the Permittee makes a change that requires logging, then the Permittee shall keep such log for 5 years from the date the source creates such log. [County Rule 220 § 501]
- 2) If the Permittee makes a change that requires logging, then the Permittee shall perform such logging in indelible ink in a bound logbook with sequentially numbered pages, or in any other form, including electronic format, if approved by the Control Officer. Each log entry shall include at least the following information:
  - a) A description of each change including:
    - (1) A description of any process change.
    - (2) A description of any equipment change, including both old and new equipment descriptions, model numbers, and serial numbers, or any other unique equipment number.
    - (3) A description of any process material change.
  - b) The date and time that the change occurred.
  - c) The provision of Section 4 Condition B.2 of this General Permit that authorizes the change to be made with logging.
  - d) The date the log entry was made and the first and last name of the person making the log entry. [County Rule 220 § 502]
- 3) A copy of all logs required under Section 4 Condition B.2 of this General Permit shall be filed with the Control Officer within 30 days after each anniversary of the permit issue date. If no changes were made at the source requiring logging, a statement to that effect shall be filed instead. [County Rule 220 § 503]

**B. CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS**

[County Rule 100 § 401 and 220 § 302.14]

Any document that is required to be submitted by this General Permit, including reports, shall contain a certification by the facility owner, or other responsible official as defined in County Rule 100 § 200.95, of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**C. EMISSION INVENTORY**

[County Rule 100 § 505]

If notified by the Control Officer, the Permittee shall submit an annual emissions inventory report to the Department, Air Quality Division, Attention: Air Quality Emissions Unit Manager, in accordance with Rule 100 of the Maricopa County Air Pollution Control Regulations. The report shall include the throughput and any excess emissions reported during the previous calendar year.

**D. EXCESS EMISSIONS AND MALFUNCTION REPORTING**

- 1) Emissions in excess of an applicable emission limitation contained in this General Permit shall constitute a violation. For all situations that constitute an emergency, the requirements of Condition F of this Section shall apply. In all other circumstances, it shall be an affirmative defense if the owner and/or operator of the source has complied with the reporting requirements of Condition D.2 and D.3 below as set forth..

[County Rule 140 § 401]

- 2) The Permittee shall report to the Control Officer any emissions in excess of the limits established by this General Permit. Such report shall be in two parts as specified below:

- a) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions, including all available information from Condition D.3 of this Section.
- b) Excess emissions report containing the information described in Condition D.3 of this Section within 72 hours of the notification required in Condition D.2.a above.

[County Rule 140 § 501]

- 3) The excess emissions report shall contain the following information:

- a) The identity of each stack or other emission point where the excess emissions occurred.
- b) The magnitude of the excess emissions expressed in the units of the applicable emissions limitation and the operating data and calculations used in determining the magnitude of the excess emissions.
- c) The time and duration or expected duration of the excess emissions.
- d) The identity of the equipment from which the excess emissions emanated.
- e) The nature and cause of such emissions.
- f) The steps taken, if the excess emissions were the result of a malfunction, to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction.

- g) The steps that were or are being taken to limit the excess emissions. If the source's permit contains procedures governing source operation during periods of startup or malfunction and the excess emissions resulted from startup or malfunction, the report shall contain a list of steps taken to comply with the permit procedures.

[County Rule 140 § 502]

- 4) In the case of the continuous or recurring excess emissions, the notification requirements of this General Permit shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification that meets the criteria of Conditions D.2 and D.3 above.

[County Rule 140 § 503]

- 5) Information required to be submitted by Excess Emissions and Malfunction Reporting shall be summarized and reported to the Control Officer in accordance with provisions contained in Section D above.

[County Rule 140 § 504]

**E. DUTY TO PROVIDE INFORMATION**

[County Rule 220 § 301.5]

As directed, the Permittee or applicant for an ATO shall furnish to the Department any information requested pursuant to this General Permit within a reasonable time period and manner, as determined by the Control Officer. Failure to submit the requested information in a reasonable time period may lead to revocation of the ATO or denial of the application for an ATO under this General Permit.

If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the application for an ATO, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts of corrected information.

**F. EMERGENCY REPORTING PROVISION**

- 1) An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this Permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[County Rule 130 § 201]

- 2) An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations, so long as the definition as set forth in Condition F.1 above in this Section has been met.

[County Rule 130 § 401]

- 3) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a) An emergency occurred and the Permittee can identify the cause or causes of the emergency;
- b) At the time of the emergency, the permitted source was being properly operated;

- c) During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
- d) The Permittee, as soon as possible, telephoned the Control Officer, giving notice of the emergency, and submitted notice of the emergency to the Control Officer by certified mail, facsimile, or hand delivery within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action take.

[County Rule 130 § 402]

- 4) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

[County Rule 130 § 403]

- 5) The provisions of this rule are in addition to any emergency or upset provision contained in any applicable requirement.

[County Rule 130 § 404]